



MEMORANDUM
Harvey Ruvlin
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Clerk of the Board of County Commissioners
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EDPC
Agenda Item No. 6(A)

TO: Honorable Chair Lynda Bell
and Members, Economic Development and
PortMiami Committee

DATE: April 11, 2013

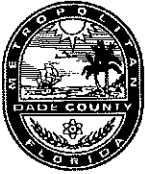
FROM: Christopher Agrippa
Division Chief, Clerk of the Board Division

SUBJECT: Approval of Commission
Committee Minutes

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Economic Development and PortMiami Committee:

March 14, 2013

CA/js
Attachment



CLERK'S SUMMARY OF Meeting Minutes

Economic Development & Port Miami Committee

Lynda Bell (8) Chair; Javier D. Souto (10) Vice Chair; Commissioners Jose "Pepe" Diaz (12), Barbara J. Jordan (1), and Juan C. Zapata (11)

Thursday, March 14, 2013

12:00 PM

COMMISSION CHAMBERS

Members Present: Lynda Bell, Jose "Pepe" Diaz, Barbara J. Jordan.

Members Absent: None.

Members Late: Javier D. Souto 12:37:00 PM.

Members Excused: Juan C. Zapata.

Members Absent County Business: None.

1 Minutes Prepared by:

Report: Zorana Gainer, Commission Reporter
305-375-3570

1A INVOCATION AS PROVIDED IN RULE 5.05
(G)

1B ROLL CALL

Report: *The following members were present:*
~Deputy Mayor Jack Osterholt
~Assistant County Attorney Monica Maldonado
~Deputy Clerk Jovel Shaw
~Deputy Clerk Zorana Gainer

Assistant County Attorney Maldonado advised that the following items were additions to today's (3/14) agenda as requested by Board of County Commissioners (BCC) Chairwoman Rebeca Sosa in her memorandum entitled, "Requested Changes to the Economic Development & Port Miami Committee Agenda": 1F2 Supplement Mayor's Fiscal Impact Statement. Additionally she noted there was an amendment to agenda item 2A.

It was moved by Commissioner Diaz to approve the foregoing changes to today's (3/14) meeting. This motion was seconded by Commissioner Jordan and upon being put to a vote, passed by a vote of 4-0 (Commissioner Zapata was absent).

1C PLEDGE OF ALLEGIANCE**1D SPECIAL PRESENTATIONS (SCHEDULED
TO BEGIN AT 11:30 AM)**

1D1

130402 Service Awards**Rebeca Sosa**PRESENTATION OF SERVICE AWARDS TO THE
FOLLOWING EMPLOYEES:*Presented*ROLANDO E. RODRIGUEZ - CIO - 30 YEARS
KEITH E. ROOT - CIO - 35 YEARS**1E DISCUSSION ITEMS****1F PUBLIC HEARINGS**

1F1

130112 Ordinance**Dennis C. Moss**ORDINANCE RELATING TO THE RULES OF
PROCEDURE OF THE BOARD OF COUNTY
COMMISSIONERS; AMENDING SECTION 2-1 OF THE
CODE OF MIAMI-DADE COUNTY, FLORIDA;
PROVIDING PROCEDURES FOR COUNTY
COMMISSIONERS TO TAKE THE OATH OF OFFICE;
PROVIDING SEVERABILITY, INCLUSION IN THE
CODE, AND AN EFFECTIVE DATE*Amended***Report:** *See Agenda Item 1F1 Amended; Legislative File
No. 130549.*

1F1 Amended

130549 Ordinance**Dennis C. Moss**

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING PROCEDURES FOR COUNTY COMMISSIONERS TO TAKE THE OATH OF OFFICE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 130112]

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Diaz

Seconder: Jordan

Vote: 4-0

Excused: Zapata

Report: *Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.*

Chair Bell opened the public hearing, seeing no one wishing to speak regarding the foregoing proposed ordinance, the public hearing was closed.

Commissioner Diaz expressed his concern regarding the language within the ordinance, noting the current language only stated that the Commissioner being sworn in answers "I do" after the oath of office is read by an official. He pointed out the Commissioners being sworn in should have the option to repeat the oath of office if they wished to do so.

Assistant County Attorney Maldonado pointed out that Commissioner Diaz was referring to the language on handwritten page 7, Section 1, part b. which states: "After the Clerk or other official has stated the oath in its entirety, the Commissioner shall then say "I do".

Chair Bell noted that Section 2 on Handwritten page 6, part a. stated: "Each Commissioner shall, at his or her option, either: 1. Verbally take the oath of office; or 2. execute a written oath of office as set forth in substantially the form attached to this ordinance or as otherwise required by law. She inquired whether or not this language gave the person being sworn in the option repeat the oath or simply say "I do" after the Clerk or other official has stated the oath in its entirety.

Assistant County Attorney Maldonado clarified there were two parts, prior to having the Installation Ceremony, you have to have an Oath of Office. She noted the Installation Ceremony portion is what Commissioner Diaz is referring to.

Commissioner Jordan pointed out that three people had to be sworn in again due to changing of the Oath's wording during the last Swearing in Ceremony. She noted if the Oath was not repeated correctly this issue may surface again; this ordinance was designed to prevent this type of mishap.

Assistant County Attorney Maldonado explained that part a. of the procedure was the actual language to be used to be sworn in and the second portion was for the Ceremonial Oath. She noted the ordinance could be amended to include either saying "I do" or repeating the entire oath after the official administering the Oath.

Commissioner Diaz noted that he would like to amend the foregoing proposed ordinance to include the option of saying "I do" or to repeat the Oath.

Hearing no further questions or comments the Committee proceeded to vote.

1F2

130257 Ordinance

Rebeca Sosa,

Lynda Bell, Jose "Pepe" Diaz, Audrey M. Edmonson
ORDINANCE RELATING TO RULES OF PROCEDURE OF
THE BOARD OF COUNTY COMMISSIONERS;
AMENDING SECTION 2-1 OF THE CODE OF MIAMI-
DADE COUNTY, FLORIDA; REQUESTING THAT THE
COMMISSION AUDITOR COMPLETE BACKGROUND
RESEARCH ON THE PERSON, ORGANIZATION, PLACE
OR THING THAT IS THE SUBJECT OF A NAMING,
RENAMING OR CODESIGNATION ITEM AND PREPARE
A REPORT DETAILING THE FINDINGS OF SAID
RESEARCH; DIRECTING THE CLERK OF THE BOARD
TO PLACE THE REPORT ON THE AGENDA AS A
SUPPLEMENT; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Amended

Report: See Agenda item 1F2 Amended; Legislative File
No. 130511.

1F2 Amended

130511 Ordinance**Rebeca Sosa,**

Lynda Bell, Jose "Pepe" Diaz, Audrey M. Edmonson
ORDINANCE RELATING TO RULES OF PROCEDURE OF
THE BOARD OF COUNTY COMMISSIONERS;
AMENDING SECTION 2-1 OF THE CODE OF MIAMI-
DADE COUNTY, FLORIDA; REQUESTING THAT THE
COMMISSION AUDITOR COMPLETE BACKGROUND
RESEARCH ON THE PERSON, ORGANIZATION, PLACE
OR THING THAT IS THE SUBJECT OF A NAMING,
RENAMING OR CODESIGNATION ITEM AND PREPARE
A REPORT DETAILING THE FINDINGS OF SAID
RESEARCH; DIRECTING THE CLERK OF THE BOARD
TO PLACE THE REPORT ON THE AGENDA AS A
SUPPLEMENT; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE AND AN EFFECTIVE DATE.
[SEE ORIGINAL ITEM UNDER FILE NO. 130257]

*Forwarded to BCC with a favorable
recommendation with committee
amendment(s)*

Mover: Diaz

Seconder: Bell

Vote: 4-0

Excused: Zapata

Report: *Assistant County Attorney Monica Maldonado
read the foregoing proposed ordinance into the
record.*

*Chair Bell opened the public hearing, seeing no
one wishing to speak regarding the foregoing
proposed ordinance, the public hearing was
closed.*

*Commissioner Diaz requested to be added as a co-
sponsor to the foregoing ordinance.*

*Commissioner Jordan inquired whether any type
of analysis had been conducted by the Commission
Auditor in connection with the foregoing
ordinance.*

*Deputy Mayor Jack Osterholt responded that the
Commission Auditor initially thought the process
would be the same one used to vet an individual
that was joining the staff; upon discovering this
was the naming of a street, it was determined that
this thorough process may constitute a violation of
one's privacy rights. He noted a traditional
computer search (i.e. Google) of publicly
available information should be conducted in an
effort to avoid violating anyone's right to privacy;
further noting there was no fiscal impact to
conducting this type of background search.*

*Further discussion ensued among committee
members, Assistant County Attorney Maldonado
and Mr. Osterholt regarding conducting
background searches versus conducting searches
for publicly available; Mr. Osterholt further*

explained that using the Florida Department of Law Enforcement (FDLE) to conduct a thorough background check may violate one's privacy because they had not given consent to do so or the person maybe deceased.

Chair Bell pointed out there was no rule against a street designation or co-designation being granted to someone that was alive, which means the subject of the co-designation did have the ability to consent to a background check.

Assistant County Attorney Annery Alfonso concurred with Chair Bell's statement noting the issue was that these items came as an honor to an individual, a corporation or an entity, not at the request of the individual or the entity but at the request of a Commissioner or a Municipality; therefore a criminal background search would be inappropriate as the individual or entity had not consented to a search of records that were not publicly available, also those records would become public record because they would be attached to the item. Assistant County Attorney Alfonso noted this ordinance was not intended to impose on anyone's right to privacy, the ordinance's intent was to only conduct a search of publicly available information.

Commissioner Diaz noted although no guidelines had been put in place, he would like to know more information about the person or the entity that a street or facility was being named for in an effort to avoid getting caught off guard with something that happened in the subjects past.

Assistant County Attorney Alfonso noted that it was a matter of which records the Commission Auditor could look at in order to provide the commission with more information on the subject of the item. She noted the intent of the item was to have the Commission Auditor look at only publicly available information, public records and other information that is available to the general public, and not to do a criminal background search which would potentially invade the privacy of an individual that is the subject of an item who has not consented.

Commissioner Jordan expressed her concern, noting since there was not a procedure in place, one needed to be put in place. She noted a person's situation from the past becomes subjective. She suggested that the sponsor of the foregoing ordinance consider legislation on this

procedure in an effort to maintain consistency and not subjectivity in terms of what should be approved versus what should not be approved. Commissioner Jordan further noted that even though a Commissioner sponsors an item to have a road or facility named, the request usually comes from a family member or the subject individual themselves and the subject should be notified that there will be a background check conducted.

Commissioner Souto inquired whether the foregoing proposed ordinance precluded municipalities.

With regards to Commissioner Souto's inquiry, Assistant County Attorney Alfonso explained the foregoing proposed ordinance only required that the Commission Auditor conduct research on a person or an entity that is the subject of a naming, renaming or co-designation item either sponsored by this commission or brought to this commission for approval by any municipality; it did not preclude the Board from approving an item nor did it preclude any municipality from bringing an item before the Board. She further noted it simply provided the Board with information that is publicly available on the entity or person who was the subject of the item.

Deputy Mayor Osterholt apprised Committee members that the foregoing ordinance should be amended to reflect that there is no fiscal impact.

Hearing no further comments or questions the Committee proceeded to vote.

1F2 SUPP.

130475 Supplement

ORDINANCE RELATED TO RULES OF PROCEDURE AMENDING; SECTION 2-1 OF THE CODE; REQUESTING THAT THE COMMISSION AUDITOR COMPLETE BACKGROUND RESEARCH ON THE PERSON, ORGANIZATION, PLACE OR THING THAT IS THE SUBJECT OF THE NAMING

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Diaz
Seconder: Bell
Vote: 4-0
Excused: Zapata

1F3

130081 Ordinance

**Economic Development & Port
Miami Committee,**

Lynda Bell

ORDINANCE RELATING TO LOCAL BUSINESS TAXES;
AMENDING CHAPTER 8A OF THE CODE OF MIAMI-
DADE COUNTY, FLORIDA, TO MAKE PROVISIONS
CONSISTENT WITH CHAPTER 205, FLORIDA
STATUTES; AND TO CORRECT SCRIVENER'S ERROR;
AND PROVIDING FOR SEVERABILITY, INCLUSION IN
THE CODE, AND AN EFFECTIVE DATE (Finance
Department)

*Forwarded to BCC with a favorable
recommendation*

Mover: Diaz

Seconder: Bell

Vote: 4-0

Excused: Zapata

Report: *Assistant County Attorney Monica Maldonado
read the foregoing proposed ordinance into the
record.*

Chair Bell opened the public hearing.

*The following person(s) appeared before the
Committee:*

*Madame Renita Holmes 5800 N.W. 7th Avenue,
Suite 213.*

*Ms. Holmes inquired regarding the intent of the
foregoing proposed ordinance.*

*Assistant County Attorney Melissa Thornton noted
the intent of the foregoing ordinance, which was
enacted pursuant to Florida State Statutes, was to
make sure that the ordinance has been amended to
reflect changes and revisions in the State Statute;
it revised some of the definitions and language to
make sure the ordinance was harmonious with the
State Statute.*

*Responding to Madame Holmes' inquiry
regarding whether the foregoing ordinance
increased any local taxes, Assistant County
Attorney Thornton clarified that the ordinance did
not increase any local taxes.*

*Chair Bell closed the public hearing and
relinquished the Chair to Vice Chairman Souto.*

*Hearing no further questions or comments the
Committee proceeded to vote.*

2 COUNTY COMMISSION

2A

130315 Resolution

Lynda Bell,

Jose "Pepe" Diaz

Amended

RESOLUTION DIRECTING THE COUNTY MAYOR OR
DESIGNEE TO PREPARE GEOSPATIAL LAYER
ANALYSIS AND DATABASE OF VACANT INDUSTRIAL
AND COMMERCIAL PARCELS TO ASSIST BEACON
COUNCIL IN ATTRACTING BUSINESS DEVELOPMENT
TO MIAMI-DADE COUNTY

Report: *See Agenda Item 2A Amended; Legislative File
No. 130536.*

2A Amended

130536 Resolution

Lynda Bell,

Jose "Pepe" Diaz

RESOLUTION DIRECTING THE COUNTY MAYOR OR
DESIGNEE TO PREPARE GEOSPATIAL LAYER
ANALYSIS AND DATABASE OF VACANT INDUSTRIAL
AND COMMERCIAL PARCELS TO ASSIST BEACON
COUNCIL AND OTHER ECONOMIC DEVELOPMENT
ORGANIZATIONS IN ATTRACTING BUSINESS
DEVELOPMENT TO MIAMI-DADE COUNTY [SEE
ORIGINAL ITEM UNDER FILE NO. 130315]

*Forwarded to BCC with a favorable
recommendation with committee
amendment(s)*

Mover: Bell

Seconder: Diaz

Vote: 4-0

Excused: Zapata

Report: *Assistant County Attorney Maldonado read the
foregoing proposed resolution into the record.*

*Assistant County Attorney Maldonado read the
following amendment into the record: The title on
handwritten page 3 should read, "Resolution
directing the County Mayor or designee to
prepare geospatial layer analysis and database of
vacant industrial and commercial parcels to assist
Beacon Council and other Economic Development
Organizations in attracting business development
to Miami-Dade County"; and on handwritten
page 4 to add the following language within the
last clause to read: "...and other details relevant
to the property to assist the Beacon Council and
other Economic Development Organizations in its
mission of attracting business development to the
County.*

*Commissioner Diaz requested to be listed as a co-
sponsor to the foregoing proposed resolution.*

*Commissioner Jordan inquired whether there was
any cost associated with compiling the
information.*

*Mary Fuentes, Director, Information Technology
Department (ITD) responded to Commissioner
Jordan's inquiry noting some of the information
requested in the resolution existed within the
county's geographic information system, with the
exception of broker representation; she noted staff
would analyze the potential cost of obtaining
information regarding broker representation for
the properties.*

*Commissioner Jordan requested that Ms. Fuentes
forward committee members a copy of these costs
before the resolution goes to the full Board.*

Responding to Commissioner Jordan's inquiry

regarding how the Beacon Council had promoted Miami-Dade County's available land in the past, Ms. Fuentes stated that staff would develop a business portal that would include all of the information requested in this proposed resolution and the Beacon Council would have access to this information as well as all of the business community located within Miami-Dade County.

Hearing no further questions or comments the Committee proceeded to vote.

2B

130389 Resolution**Dennis C. Moss,****Lynda Bell, Jose "Pepe" Diaz, Barbara J. Jordan, Sen.****Javier D. Souto**

RESOLUTION DIRECTING THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO IMPLEMENT A WEB
BASED SYSTEM FOR TRACKING AND REPORTING
THE IMPLEMENTATION OF DIRECTIVES APPROVED
BY THE BOARD OF COUNTY COMMISSIONERS

Amended

Report: *See Agenda Item 2B Amended; Legislative File
No. 130500.*

2B Amended

130500 Resolution

Dennis C. Moss,

Lynda Bell, Jose "Pepe" Diaz, Barbara J. Jordan, Sen.

Javier D. Souto

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO IMPLEMENT A WEB BASED SYSTEM FOR TRACKING AND REPORTING THE IMPLEMENTATION OF DIRECTIVES APPROVED BY THE BOARD OF COUNTY COMMISSIONERS [SEE ORIGINAL ITEM UNDER FILE NO. 130389]

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Diaz

Seconder: Souto

Vote: 4-0

Excused: Zapata

Report: *Assistant County Attorney Maldonado read the foregoing proposed resolution into the record.*

Commissioner Jordan inquired whether the system would provide access to memorandums regarding directives.

Mary Fuentes, Director, Information Technology Department (ITD) noted, in response to Commissioner Jordan's inquiry, that currently a system was in place that recorded directives and was accessible to the Mayor (his staff), Clerk of the Board (and staff) and made available to all county operational departments to view. She pointed out the same system would be used to promote transparency as requested in the resolution through the web portal. She noted there was a correspondence tracking system used by the staff of the Mayor's office which is supported by the county's technology department; this was part of a plan that the Mayor had presented to the Commission as part of a transparency initiative through the web, this initiative was pending funding approval noted Ms. Fuentes.

Commissioner Jordan noted the memorandums closed out directives and she wanted the public to be able to see the timeframes in terms of the requests via a system.

Ms. Fuentes noted that this system would support the directives and the comments entered in connection with the directive, when the item was completed it would be reflected in the system and can be accessed through the web.

Chair Bell offered an amendment to the foregoing proposed resolution to include the memorandum responding to a request for information, within 24 hours of completing the directive.

Ms. Fuentes noted previously Commissioner Barreiro had sponsored legislation regarding transparency and requested that a plan be provided to the commission. This plan was provided to the Board six (6) months ago and it included three (3) phases the first phase of the plan to put the employee salaries and the county's checkbook on the web has been completed; the second phase, which is pending funding approval, was to add the document tracking system and would also put media requests on the internet. She pointed out that the memos mentioned in this resolution could be added to that system and made accessible at no additional cost.

Chair Bell inquired whether all of the Mayor's memos could be added to this system and made accessible.

Assistant County Attorney Oren Rosenthal responded to Chair Bell's inquiry noting, that was a broad request and that the memos related to directives and relations with the commission could be added, however the memos outside of that purview would be better added in another item that we could prepare upon request.

Chair Bell, Commissioners Jordan, Diaz and Souto requested to be added as a co-sponsor to the foregoing proposed resolution.

Discussion ensued between Deputy Mayor Osterholt and committee members regarding the difference between a directive and an information request.

Commissioner Jordan clarified that a directive was a request to the Mayor to prepare a report, noting that it was the Mayor's responsibility to report to the commission; directives were not given directly to staff.

Assistant County Attorney Oren Rosenthal further clarified the foregoing resolution as drafted was solely for those directives contained within voted motions and resolutions of the Board, it maybe amended to be extended to other directives given by the Board.

Commissioner Jordan concurred with Assistant County Attorney Rosenthal and stated she would like to amend the foregoing amendment to extend the language to include individual directives given by commissioners. She pointed out that staff

tracked these directives daily and these directives consist of not only items that are voted on but reports that each individual commissioner requests during formal meetings.

Hearing no further questions or comments the Committee proceeded to vote.

3 DEPARTMENTS

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

130403 Report

APPROVAL OF CLERK'S MEETING MINUTES FOR THE FEBRUARY 14, 2013 ECONOMIC DEVELOPMENT AND PORT MIAMI COMMITTEE MEETING (Clerk of the Board)

*Approved
Mover: Diaz
Seconder: Jordan
Vote: 4-0
Excused: Zapata*

Report: *Assistant County Attorney Monica Maldonado read the foregoing report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing report as presented.

7 REPORTS

8 ADJOURNMENT

Report: *Hearing no further business to come before the Committee, the meeting adjourned at 1:22 p.m.*